

House Republican Press Release

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Boucher Hails Legislation Addressing Supreme Court Zoning Decision



State Rep. Toni Boucher, R-143rd, Wilton, Norwalk, today hailed passage of a bill to address a state Supreme Court decision that said builders must follow only the zoning rules in effect when property was originally subdivided, often 50 years ago.

The state House of Representatives approved the measure, SB 448, on the final day of the 2004 legislative session, requiring construction to conform to current town and city zoning requirements.

“After two years of hard work by many legislators, the *Poirier V. Wilton* landmark Supreme Court case that ruled against the town’s position has been rectified,” said Rep. Boucher. “I am pleased that SB 448 that many of us co-sponsored for our towns has passed both houses and now goes to the governor for his signature.”

The court decision had affected construction in communities throughout the state, said Rep. Boucher.

Rep. Boucher added, “The court decision had interpreted a little-known 1984 state law as granting an exemption to subdivisions from any changes in zoning regulations after the date of the subdivision. That ruling had thrown a half-century of local planning and zoning laws into turmoil.”

She added, “It had been difficult to convince many urban legislators to vote in favor of this bill in the past because they were not in favor of any proposal that might be perceived as limiting development. This bill was crafted in such a way to address their concerns as well as rectify the problems that the Supreme Court decision created, not only in Wilton but in communities all over the state.”

“Fortunately, the situation will now be corrected,” said Rep. Boucher, “and developers will be bound by the most current zoning laws, regarding size of houses, lot coverage, setbacks and other requirements.”